

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ERIC FORSYTHE, Individually And On Behalf Of All Others Similarly Situated,)	
)	
)	Civil Action No. 04cv10584 (GAO)
Plaintiff,)	
)	Consolidated Cases Nos.:
vs.)	
)	04cv10764 (GAO)
SUN LIFE FINANCIAL INC., et al.,)	04cv11019 (GAO)
)	
Defendants.)	
)	

MOTION FOR CLASS CERTIFICATION

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that plaintiffs City of Chicago Deferred Compensation Plan, Eric Forsythe, Larry R. Eddings and Richard Koslow (collectively, the “Plaintiffs”), by their counsel, will hereby move before the Honorable George A. O’Toole Jr., U.S.D.J., at a date and time to be fixed by the Court, at the John Joseph Moakley United States Courthouse, 1 Courthouse Way, Boston, Massachusetts 02210, for entry of an Order: (1) certifying a class of all persons and entities who held one or more shares of the Massachusetts Financial Services mutual funds identified in the consolidated amended complaint dated March 3, 2005, during the period between March 24, 1999 and November 17, 2003, inclusive; and (2) appointing Plaintiffs as class representatives. In support of this Motion, Plaintiffs submit herewith a Memorandum of

Law, the Declaration of Kim E. Miller, and a Proposed Form of Order.

Dated: April 14, 2005

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I, Nancy Freeman Gans, hereby certify that on February 25, 2005 and/or March 2, 2005, I contacted defense counsel by voice mail, e-mail and/or telephone regarding Plaintiffs Motion for Class Certification as follows: David Ryan, Esquire, of Nixon Peabody LLP, counsel for defendant Kevin B. Parke, who opposes said motion; Abigail Hemani, Esquire, of Goodwin Proctor LLP, counsel for defendant Jeffrey L. Shames, who opposes said motion; John J. Falvey, Jr., Esquire, of Goodwin Proctor LLP, counsel for defendant John W. Ballen, who takes no position regarding said motion; Jonathan A. Shapiro, Esquire, of Wilmer Cutler Pickering Hale and Dorr LLP, counsel for defendants Sun Life Financial, Inc. and MFS Company, who reserves his position regarding said motion; and Jane Willis, Esquire, Ropes & Gray LLP, counsel for defendants Lawrence H. Cohn, William R. Gutow, J. Atwood Ives, Abby M. O'Neill, Lawrence T. Perera, William J. Poorvu, J. Dale Sherratt, Elaine R. Smith, Ward Smith and the MFS Funds, who reserves her position on said motion.

/s/ Nancy Freeman Gans
Nancy Freeman Gans

CERTIFICATE OF SERVICE

I, Daniel P. Dietrich, hereby certify that I served a copy of the foregoing document upon counsel for all parties by mailing a copy of the same, postage prepaid, to each attorney of record, this 14th day of April, 2005.

/s/ Daniel P. Dietrich
Daniel P. Dietrich